

REMARKS

Entry of the foregoing amendments, and reexamination and reconsideration of the subject application, pursuant to and consistent with 37 C.F.R. § 1.104 and § 1.112, and in light of the following remarks, are respectfully requested.

Amendments and Drawings

The title has been amended.

The specification has been amended to be consistent with the drawings; the reference number 16 now recited in the specification refers to an individual tubular member used as a crosspiece whereas reference number 20 refers to a crosspiece extending the width of the support structure. Accordingly, the objection to the drawings may now be withdrawn.

Claim 6 has been amended to recite that each tile has a plurality of partially embedded fixtures, support for which is found at least in Fig. 2 and the corresponding description at page 3 of the application, and also that such tiles are attached to the support by connecting the fixtures, by using angles, to the support structure.

Rejections under 35 U.S.C. §103

All of the claims stand rejected as obvious over Longinotti in view of one or more secondary references. In light of the present amendments, the various rejections are respectfully traversed.

Longinotti discloses tiles having bores through which bolts are inserted (e.g., Fig. 12) to hold stirrups (59, Fig. 13) that engage flanges of the crosspieces. Alternatively, Longinotti discloses receiving elements (112, Fig. 29) "in the nature of a pin or the like and anchored" in a blind hole by pressure (col. 11, ln. 9-12).

As now amended, applicant's wall is made of tiles having fixtures embedded in the tile when the material from which the tile is made sets. Longinotti does not disclose any element embedded in the tile when the settable material from which it is made sets, nor attaching such element to an angle. Further, none of the art shows a separate angle attached to both the tile fixture and to the lattice structure.

Hensley *et al.* discloses wear tiles that are ceramic (col. 2, ln. 55-63), not settable. The Hensley *et al.* tiles are fundamentally different from the applicant's tiles and from those of Longinotti because they are used to form a wear surface and not a facade. The Hensley *et al.* tiles are ceramics (e.g., alumina, silicon carbide, cermets; see col. 2, ln. 55-64) which are adhered to a magnetic backing which is then inserted into a mill and adhered to the metal surface of the mill (paragraph bridging cols. 3 and 4). It is precisely because the Hensley *et al.* tiles are ceramic that they must be adhered to a backing, and so are fundamentally different than the building tiles described in the present invention and in Longinotti, and how they can be attached. Hensley *et al.* neither discloses or suggests attaching such tiles to a lattice structure. If this rejection is maintained, the Office is requested to show that such materials (ceramic tiles of the materials disclosed by Hensley *et al.*) are equivalent to the wall materials disclosed by Longinotti or applicant. In the absence thereof, withdrawal of this rejection is believed to be warranted.

Armond *et al.* disclose a flooring tile that is attached onto concrete beams in a manner substantially differently than the attachment used by applicant and by Longinotti. Importantly, such tiles are designed to be removed (see claim 1 and page 1, last paragraph). Accordingly, Armond *et al.* does not teach or suggest embedding attachment fixtures in the settable material, but rather teaches away from such permanence in construction.

In summary, none of the art cited discloses tiles made from a settable ingredient having a plurality of fixtures embedded in the tile when formed, nor connecting the tiles to a lattice structure through separate angles connected to each. Accordingly, all of the rejections should now be withdrawn.